

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-FIRST DAY

(Wednesday, May 13, 2015)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

The President announced that a quorum of the Senate was present.

Deacon Ron Walker, Roman Catholic Diocese of Austin, was introduced by Senator Lucio and offered the invocation as follows:

Good and loving Father, all power and goodness comes from and depends on You. You entrust this legislative body to create and amend just laws for this great state. Pour Your spirit upon these Senators and our Lieutenant Governor. Give them wisdom. Guide them. Give them a devout sense of duty to encourage them to work toward the noble end of their offices. Give them a desire for sound impartiality which dictates that they will work without unjust preferences for the good of all. Continue to inspire these esteemed Senators and their staff to remain loyal to the principles that they openly profess and to know the difference between compromise in the legislative process and compromise of one's own principles. May their resolutions and actions be in conformity with Your precepts, even in the face of necessary sacrifice. May they, in their own little way, endeavor to imitate Your goodness according to which You direct and govern everything for Your great glory and for the sanctity of human society. Inspire them with a profound sentiment of what constitutes sound social order, law, and justice. Be with them now and all the days of their lives. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

MESSAGE FROM THE HOUSE**HOUSE CHAMBER**

Austin, Texas

Wednesday, May 13, 2015 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:**HB 18**

Aycock

Relating to college and career readiness training for certain public school counselors and postsecondary advisors.

HB 22

Davis, Sarah

Relating to the powers and duties of the Texas Ethics Commission; creating a criminal offense.

HB 118

Flynn

Relating to a fee waiver for a combination resident hunting and fishing license for certain military personnel.

HB 207

Leach

Relating to creating the offense of voyeurism; providing a penalty.

HB 309

White, James

Relating to a study on the feasibility and potential costs and benefits of implementing a pay-for-performance contract program for certain juvenile justice programs and services.

HB 451

Alonzo

Relating to an optometry career program at the University of Houston.

HB 460

Bell

Relating to the issuance of a search warrant for taking a blood specimen from certain persons suspected of committing certain intoxication offenses.

HB 480

Bell

Relating to retaining a reserve investigator by a prosecuting attorney.

HB 549

Johnson

Relating to certain duties of the Commission on Jail Standards regarding visitation periods for county jail prisoners.

HB 580

Wu

Relating to the statute of limitations for aggravated assault.

HB 644

Canales

Relating to the contents of a search warrant and to the offense of tampering with a governmental record consisting of a search warrant.

HB 849

Paddie

Relating to an exemption from the sales tax for firearms and hunting supplies for a limited period.

HB 852

Sanford

Relating to the creation of a joint interim committee to study and make recommendations regarding the storage of biometric identifiers.

HB 855

Sanford

Relating to the compatibility of state agency websites with certain devices and Internet browsers.

HB 882

Miller, Rick

Relating to the director and assistant director of the Texas Military Preparedness Commission.

HB 884

Phelan

Relating to the abolishment of the Orange County child support office and to the divorce and contempt fees paid in Orange County.

HB 1000

Zerwas

Relating to state support for general academic teaching institutions in this state.

HB 1005

Davis, Yvonne

Relating to allowing judges to use juror identification numbers when polling the jury.

HB 1128

Fletcher

Relating to the issuance of specialty license plates for recipients of the Combat Action Badge, Medal, or Ribbon.

HB 1238

Bonnen, Dennis

Relating to requirements for construction and maintenance work zones; amending provisions subject to a criminal penalty.

HB 1278

Hughes

Relating to financial assistance paid to the survivors of certain law enforcement officers, firefighters, and other public employees killed in the line of duty.

HB 1300

Capriglione

Relating to eligibility requirements for admission of certain persons to educator preparation programs.

HB 1306

Hughes

Relating to the reimbursement of expenses incurred by court reporters in judicial districts composed of more than one county.

HB 1318

Button

Relating to the eligibility of presidential general election debates for distributions from a Major Events trust fund.

HB 1346

Alonzo

Relating to the representation of certain indigent applicants for a writ of habeas corpus.

HB 1364 Miller, Rick

Relating to the issuance of specialty license plates to honor recipients of the Defense Meritorious Service Medal and the Meritorious Service Medal.

HB 1371 Dutton

Relating to the creation of an independent ombudsman for children and youth in foster care.

HB 1424 Lozano

Relating to the designation of certain synthetic compounds to Penalty Group 2 or 2-A of the Texas Controlled Substances Act; increasing penalties for certain persons convicted of the manufacture and delivery of controlled substances.

HB 1446 Dale

Relating to reimbursement of certain medical costs for victims of certain sex offenses.

HB 1457 Blanco

Relating to designation of an employee within certain state agencies as a veterans liaison.

HB 1549 McClendon

Relating to nonsubstantive corrections in statutes to references to the Texas Youth Commission and Texas Juvenile Probation Commission.

HB 1559 Parker

Relating to public school Internet website information concerning local programs and services available to assist homeless students.

HB 1628 Johnson

Relating to authorizing a credit union or other financial institution to conduct savings promotion raffles.

HB 1783 Moody

Relating to the right of a school employee to report a crime and persons subject to the prohibition on coercing another into suppressing or failing to report information to a law enforcement agency; creating a criminal offense.

HB 1807 Naishtat

Relating to requiring the Texas Higher Education Coordinating Board to maintain an inventory of postsecondary educational programs and services for persons with intellectual and developmental disabilities.

HB 1923 Naishtat

Relating to qualifications of special judges.

HB 1995 Deshotel

Relating to the authority to modify an ad valorem tax abatement agreement to extend the abatement period if a disaster prevents the property owner from complying with the agreement.

HB 2067 Oliveira

Relating to the rescission or waiver of an acceleration of the maturity date of certain debt secured by a lien on real property.

HB 2076 Oliveira

Relating to notice requirements and other procedures relating to the possession or sale of a motor vehicle, motorboat, vessel, or outboard motor by a possessory lienholder.

HB 2096 Button

Relating to the temporary exemption of certain tangible personal property related to certain multi-user data centers from the sales and use tax.

HB 2185 Clardy

Relating to the execution of a search warrant for taking a DNA specimen.

HB 2265 Hughes

Relating to the designation of a portion of State Highway 154 in Wood and Hopkins Counties as the Sgt. Tanner Stone Higgins Memorial Highway.

HB 2282 Guillen

Relating to the procedures for protests and appeals of certain ad valorem tax determinations.

HB 2345 Dutton

Relating to the boundaries and territory of the Near Northside Management District.

HB 2379 Bohac

Relating to the liability of first responders who provide roadside assistance.

HB 2498 Zerwas

Relating to a compact with other states regarding the licensure of emergency medical services personnel and the authority of those personnel to perform job duties in this state and other states.

HB 2540 Simpson

Relating to the designation of Spur 63 in Gregg County as the Texas Ranger Glenn Elliott Memorial Highway.

HB 2550 Thompson, Senfronia

Relating to the establishment and duties of a task force to study and make recommendations on family support and parent education programs.

HB 2598 Kuempel

Relating to the consideration of steel slag as solid waste by the Texas Commission on Environmental Quality.

HB 2710 Thompson, Senfronia

Relating to the duty of an attorney ad litem to locate and represent a defendant in a suit to collect a delinquent ad valorem tax.

HB 2712 Geren

Relating to the temporary exemption of certain tangible personal property related to large data center projects from the sales and use tax.

HB 2722 Goldman

Relating to prohibition of the operation and sale of certain motor vehicles resembling authorized emergency vehicles; creating a criminal offense.

HB 2745

Capriglione

Relating to the frequency restrictions on charitable raffles.

HB 2763

Thompson, Ed

Relating to a study of the current and potential economic impacts of recycling.

HB 2772

Martinez, "Mando"

Relating to the authority of certain economic development corporations to undertake and operate transportation-related projects.

HB 2819

Deshotel

Relating to improvement projects of the Sabine-Neches Navigation District of Jefferson County, Texas; providing authority to issue anticipation notes and time warrants.

HB 2894

Lozano

Relating to the election of certain county bail bond board members.

HB 2974

Flynn

Relating to the creation of a joint interim committee to undertake a study of health benefit plans administered by the Teacher Retirement System of Texas.

HB 2985

Israel

Relating to requiring the election of directors of certain districts to be held on a uniform election date.

HB 3024

Guerra

Relating to coordination of dental benefits under certain insurance policies.

HB 3077

Zerwas

Relating to funding for trauma facilities, emergency medical services, and emergency medical air transportation.

HB 3122

Faircloth

Relating to ballots counted by the early voting ballot board.

HB 3167

Simmons

Relating to the governing bodies of certain local planning organizations.

HB 3184

McClendon

Relating to the establishment, operation, and funding of victim-offender mediation programs; authorizing fees.

HB 3186

Farney

Relating to the qualifications of directors and the use of project funds of certain municipal development districts.

HB 3193

Bernal

Relating to consideration of location of a bidder's or offeror's principal place of business in awarding certain municipal contracts.

HB 3277

Dutton

Relating to the authority of the office of independent ombudsman with the Texas Juvenile Justice Department in regard to juveniles in custody in certain facilities.

- HB 3319** Kuempel
Relating to procedures and fees for the safekeeping of wills and other fees collected by court clerks in probate matters; authorizing and increasing fees.
- HB 3364** Schofield
Relating to the appeal of a judgment in an eviction suit.
- HB 3390** Larson
Relating to a written agreement concerning a projectile discharged from a firearm that travels across a property line; amending a provision subject to a criminal penalty.
- HB 3402** Smith
Relating to the authority of a venue district to act as an endorsing municipality or endorsing county for purposes of games or event trust funds; authorizing a fee.
- HB 3404** Thompson, Senfronia
Relating to a study on providing care to veterans with post-traumatic stress disorder.
- HB 3424** Smithee
Relating to a central database containing information about certain individuals under guardianship.
- HB 3438** Riddle
Relating to the transfer of surplus or salvage state agency property.
- HB 3467** Martinez, "Mando"
Relating to a postsecondary distance learning feasibility study conducted by the Texas Higher Education Coordinating Board.
- HB 3519** Guerra
Relating to the use of home telemonitoring services under Medicaid.
- HB 3577** Howard
Relating to the distribution of funds under the Texas Educational Opportunity Grant Program.
- HB 3595** Morrison
Relating to the use of municipal hotel occupancy tax revenue in certain municipalities.
- HB 3615** Isaac
Relating to the use of hotel occupancy tax revenues in certain municipalities.
- HB 3651** Coleman
Relating to the manufacture, sale, distribution, possession, and use of drugs not approved by the United States Food and Drug Administration and the false representation that a substance is a drug approved by the United States Food and Drug Administration or intended for the prevention or treatment of diseases in humans; creating criminal offenses.
- HB 3772** Nevárez
Relating to the use of municipal hotel occupancy tax revenue to construct, enhance, upgrade, and maintain arenas, sports facilities, and fields in certain municipalities.
- HB 3796** Allen
Relating to notice provided to persons with disabilities regarding the eligibility of persons with disabilities to use certain public transportation services.

HB 3836

Giddings

Relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer early childhood education baccalaureate degree programs.

HB 3888

Dutton

Relating to the creation of the Barrett Management District.

HB 3938

Longoria

Relating to single premium term life insurance offered in connection with certain consumer loans.

HB 3944

King, Tracy O.

Relating to judicial review of final orders arising out of nutritional programs administered by the Texas Department of Agriculture.

HB 4046

Alvarado

Relating to the confidentiality of student records.

HB 4059

Oliveira

Relating to limitations on annexation by and extraterritorial jurisdiction of certain municipalities.

HB 4103

Guillen

Relating to oaths and affirmations of certain judges of municipal courts.

HB 4104

Guillen

Relating to the disposition of fines and costs imposed on an appeal of a misdemeanor case from municipal court.

HB 4130

Gonzales, Larry

Relating to the qualifications and method of electing directors of the Jonah Water Special Utility District.

HB 4139

Bell

Relating to the powers and duties of the Montgomery County Municipal Utility District No. 141; providing authority to issue bonds and impose taxes.

HB 4141

Stephenson

Relating to the creation of the Fort Bend County Municipal Utility District No. 191; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4147

Reynolds

Relating to the creation of Missouri City Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

HB 4153

Bell

Relating to the creation of the Montgomery-Grimes Counties Municipal Utility District No. 146; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4154

Bell

Relating to the creation of the Grand Lake Estates Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

HB 4175 Thompson, Senfronia

Relating to eminent domain powers of certain conservation and reclamation districts.

HB 4183 Isaac

Relating to the creation of the Hays County Municipal Utility District No. 7; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HCR 66 Simmons

Declaring Israel a major strategic ally of Texas.

HCR 85 Wray

Directing the governor of the State of Texas to posthumously award the Texas Legislative Medal of Honor to Chief Petty Officer Christopher Scott Kyle.

SB 42 Zaffirini Sponsor: Sheffield

Relating to the selection process for student members of the board of regents of a state university or state university system.

SB 272 Hancock Sponsor: Burkett

Relating to making a voluntary contribution to the Special Olympics Texas fund when registering a motor vehicle or renewing a motor vehicle registration.

SB 317 Hinojosa Sponsor: Muñoz, Jr.

Relating to The University of Texas Rio Grande Valley.

SB 805 Campbell Sponsor: Raney

Relating to the employment of individuals qualified for a veteran's employment preference.

(Committee Substitute/Amended)

SB 817 Rodríguez Sponsor: Thompson, Senfronia

Relating to the issuance of a protective order and the appointment of a managing conservator in certain family law proceedings.

SB 1021 Creighton Sponsor: Oliveira

Relating to reporting requirements for certain unclaimed property.

SB 1072 Zaffirini Sponsor: Rodriguez, Eddie

Relating to the removal of a precinct or county chair for abandonment of office.

SB 1077 Eltife Sponsor: Parker

Relating to the definition of "person" under the Uniform Commercial Code.

SB 1233 Taylor, Larry Sponsor: Oliveira

Relating to authorizing certain distributions of income from a nonprofit corporation to members of the corporation who are certain nonprofit corporations.

SB 1451 Ellis Sponsor: Raney

Relating to the disputed payment by a credit card or debit card of a vehicle registration fee.

SB 1470 Watson Sponsor: Raney

Relating to the establishment of state authorization reciprocity agreements for postsecondary distance learning courses.

- SB 1522** Estes Sponsor: Pickett
Relating to designating the fourth Saturday in July as National Day of the Cowboy.
- SB 1593** Lucio Sponsor: Lucio III
Relating to regulation of the sale of fireworks by certain municipalities.
(Committee Substitute)
- SB 1626** Rodríguez Sponsor: Dukes
Relating to the regulation by a developer of the installation of solar energy devices in a residential subdivision.
- SB 1820** Taylor, Van Sponsor: Kuempel
Relating to the exemption of certain vehicles from towing regulations.
- SB 1931** Garcia Sponsor: Thompson, Senfronia
Relating to the appointment of an attorney ad litem for a parent in certain suits affecting the parent-child relationship.
- SB 2031** Watson Sponsor: Howard
Relating to the date for publication of the factors considered for admission to a new graduate and professional program.

Respectfully,
/s/Robert Haney, Chief Clerk
House of Representatives

PHYSICIAN OF THE DAY

Senator Zaffirini was recognized and presented Dr. H. R. Ramirez of San Antonio as the Physician of the Day.

The Senate welcomed Dr. Ramirez and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

GUESTS PRESENTED

Senator Schwertner was recognized and introduced to the Senate the Texas A&M Public Policy Internship Program participants.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate a Leadership Flower Mound delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate a Caldwell County delegation.

Senator Zaffirini also introduced a delegation from Mendez Middle School.

The Senate welcomed its guests.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

CONCLUSION OF MORNING CALL

The President at 11:32 a.m. announced the conclusion of morning call.

HOUSE BILL 1430 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1430** at this time on its second reading:

HB 1430, Relating to the inclusion of mental health in the public services endorsement on a public school diploma and in information about health science career pathways.

The bill was read second time and was passed to third reading without objection.

All Members are deemed to have voted "Yea" on the passage to third reading.

HOUSE BILL 1430 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1430** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE HOUSE BILL 225 ON SECOND READING

Senator Watson moved to suspend the regular order of business to take up for consideration **CSHB 225** at this time on its second reading:

CSHB 225, Relating to the prescription, administration, and possession of certain opioid antagonists for the treatment of a suspected overdose and a defense to prosecution for certain offenses involving controlled substances and other prohibited drugs, substances, or paraphernalia for defendants seeking assistance for a suspected overdose.

The motion prevailed.

Senator Kolkhorst asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 225** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 481.115(g)(1), Health and Safety Code (page 1, line 31), between "(1)" and "emergency", strike "requested" and substitute "was the first person to request".

(2) In SECTION 2 of the bill, in added Section 481.1151(c)(1), Health and Safety Code (page 1, line 56), between "(1)" and "emergency", strike "requested" and substitute "was the first person to request".

(3) In SECTION 3 of the bill, in added Section 481.116(f)(1), Health and Safety Code (page 2, line 21), between "(1)" and "emergency", strike "requested" and substitute "was the first person to request".

(4) In SECTION 4 of the bill, in added Section 481.1161(c)(1), Health and Safety Code (page 2, line 46), between "(1)" and "emergency", strike "requested" and substitute "was the first person to request".

(5) In SECTION 5 of the bill, in added Section 481.117(f)(1), Health and Safety Code (page 3, line 2), between "(1)" and "emergency", strike "requested" and substitute "was the first person to request".

(6) In SECTION 6 of the bill, in added Section 481.118(f)(1), Health and Safety Code (page 3, line 27), between "(1)" and "emergency", strike "requested" and substitute "was the first person to request".

(7) In SECTION 7 of the bill, in added Section 481.119(c)(1), Health and Safety Code (page 3, line 52), between "(1)" and "emergency", strike "requested" and substitute "was the first person to request".

(8) In SECTION 8 of the bill, in added Section 481.121(c)(1), Health and Safety Code (page 4, line 8), between "(1)" and "emergency", strike "requested" and substitute "was the first person to request".

(9) In SECTION 9 of the bill, in added Section 481.125(g)(1), Health and Safety Code (page 4, line 33), between "(1)" and "emergency", strike "requested" and substitute "was the first person to request".

(10) In SECTION 10 of the bill, in added Section 483.041(e)(1), Health and Safety Code (page 4, line 58), between "(1)" and "emergency", strike "requested" and substitute "was the first person to request".

(11) In SECTION 11 of the bill, in added Section 485.031(c)(1), Health and Safety Code (page 5, line 14), between "(1)" and "emergency", strike "requested" and substitute "was the first person to request".

The amendment to **CSHB 225** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator Watson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSHB 225 as amended was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Nays: Kolkhorst.

COMMITTEE SUBSTITUTE HOUSE BILL 225 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 225** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 1624 ON THIRD READING

Senator Rodríguez moved to suspend the regular order of business to take up for consideration **CSSB 1624** at this time on its third reading and final passage:

CSSB 1624, Relating to a requirement that certain entering students at a general academic teaching institution receive information regarding mental health and suicide prevention services.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Birdwell, Campbell, Ellis, Eltife, Estes, Fraser, Garcia, Hinojosa, Huffman, Lucio, Menéndez, Nichols, Perry, Rodríguez, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Creighton, Hall, Hancock, Huffines, Kolkhorst, Nelson, Schwertner, V. Taylor.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 10. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 2039 ON SECOND READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 2039** at this time on its second reading:

CSSB 2039, Relating to the creation of the Harris County Municipal Utility District No. 546; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

The motion prevailed.

Senator Hall asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Hall.

**COMMITTEE SUBSTITUTE
SENATE BILL 2039 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2039** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Hall.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
HOUSE BILL 1993 ON SECOND READING**

On motion of Senator V. Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1993** at this time on its second reading:

CSHB 1993, Relating to the authorization of independent school districts to use electronic means to notify parents of a student's academic performance.

The bill was read second time and was passed to third reading without objection.

All Members are deemed to have voted "Yea" on the passage to third reading.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1993 ON THIRD READING**

Senator V. Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1993** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

HOUSE BILL 2410 ON SECOND READING

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2410** at this time on its second reading:

HB 2410, Relating to the annual audit of the books and records of the Maverick County Hospital District.

The bill was read second time and was passed to third reading without objection.

All Members are deemed to have voted "Yea" on the passage to third reading.

HOUSE BILL 2410 ON THIRD READING

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2410** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE HOUSE BILL 2154 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2154** at this time on its second reading:

CSHB 2154, Relating to the functions and operation of the State Office of Administrative Hearings.

The bill was read second time and was passed to third reading without objection.

All Members are deemed to have voted "Yea" on the passage to third reading.

COMMITTEE SUBSTITUTE HOUSE BILL 2154 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2154** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

RECESS

On motion of Senator Whitmire, the Senate at 12:41 p.m. recessed until 1:30 p.m. today.

AFTER RECESS

The Senate met at 1:57 p.m. and was called to order by the President.

BILLS SIGNED

The President announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read:

SB 487, SB 888, SB 899, SB 1108.

**COMMITTEE SUBSTITUTE
SENATE BILL 674 ON SECOND READING**

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 674** at this time on its second reading:

CSSB 674, Relating to instruction regarding mental health, substance abuse, and youth suicide in educator training programs.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 674 ON THIRD READING**

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 674** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1408 ON SECOND READING

Senator Lucio moved to suspend the regular order of business to take up for consideration **SB 1408** at this time on its second reading:

SB 1408, Relating to the establishment of a matching grant program for community development in certain municipalities and counties.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Perry, Rodríguez, Seliger, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Burton, Campbell, Hancock, Huffines, Nichols, Schwertner, L. Taylor.

The bill was read second time.

Senator V. Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1408** (senate committee printing) in SECTION 1 of the bill, following added Section 23.006, Agricultural Code (page 2, between lines 37 and 38), insert the following:

Sec. 23.007. EXPIRATION PROVISION. This chapter expires September 1, 2021.

The amendment to **SB 1408** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator Lucio and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 1408 as amended was passed to engrossment by the following vote: Yeas 22, Nays 9.

Yeas: Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Perry, Rodríguez, Seliger, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Burton, Campbell, Hancock, Huffines, Nichols, Schwertner, L. Taylor.

SENATE BILL 1408 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1408** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Bettencourt, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Seliger, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Hancock, Schwertner, L. Taylor.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 9.

Yeas: Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Perry, Rodríguez, Seliger, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Burton, Campbell, Hancock, Huffines, Nichols, Schwertner, L. Taylor.

HOUSE BILL 1224 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1224** at this time on its second reading:

HB 1224, Relating to the purposes for which the assets of certain revolving funds administered by the Texas Water Development Board may be used.

The bill was read second time and was passed to third reading without objection.

All Members are deemed to have voted "Yea" on the passage to third reading.

HOUSE BILL 1224 ON THIRD READING

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1224** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 13, 2015 - 2

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

SB 66 Hinojosa Sponsor: Crownover
Relating to the use of epinephrine auto-injectors on public school and open-enrollment charter school campuses and at or in transit to or from off-campus school events.
(Amended)

SB 359 West Sponsor: Workman
Relating to the authority of a peace officer to apprehend a person for emergency detention and the authority of certain facilities and physicians to temporarily detain a person with mental illness.
(Committee Substitute)

SB 373 West Sponsor: Rose
Relating to increased oversight by the Department of State Health Services of hospitals that commit certain violations.
(Amended)

SB 389 Rodríguez Sponsor: Blanco
Relating to the placement of military occupational specialty codes on certain notices of state agency employment openings.

SB 622 Uresti Sponsor: Laubenberg
Relating to the physician assistant board.

SB 678 Nelson Sponsor: Simmons
Relating to coordinated county transportation authorities.

SB 679 Nelson Sponsor: Burkett
Relating to public meetings of joint airport boards.

SB 684 Taylor, Larry Sponsor: Bonnen, Greg
Relating to the designation of certain optometrists, therapeutic optometrists, and ophthalmologists as preferred providers.
(Amended)

SB 1387

Creighton

Sponsor: Deshotel

Relating to the creation and operations of health care provider participation programs in certain municipalities.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

**COMMITTEE SUBSTITUTE
SENATE BILL 1835 ON SECOND READING**

Senator Menéndez moved to suspend the regular order of business to take up for consideration **CSSB 1835** at this time on its second reading:

CSSB 1835, Relating to an exemption from the motor vehicle use tax for motor vehicles brought into this state by certain current or former military personnel.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Bettencourt, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Hall.

The bill was read second time.

Senator Birdwell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1835** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 152.022(c)(1), Tax Code (page 1, line 37), strike "and".

(2) In SECTION 1 of the bill, in added Section 152.022(c)(2), Tax Code (page 1, line 39), between "state" and the underscored period, insert the following:

; and

(3) first registers the motor vehicle in this state while serving on active duty or not later than the first anniversary of the date the person was discharged or released from active duty

The amendment to **CSSB 1835** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator Menéndez and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1835 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Burton, Hall.

**COMMITTEE SUBSTITUTE
SENATE BILL 1835 ON THIRD READING**

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1835** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Hall.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

(Senator L. Taylor in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1580 ON SECOND READING**

Senator Garcia moved to suspend the regular order of business to take up for consideration **CSSB 1580** at this time on its second reading:

CSSB 1580, Relating to a study on homeless veterans.

The motion prevailed.

Senator Nichols asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Nichols.

**COMMITTEE SUBSTITUTE
SENATE BILL 1580 ON THIRD READING**

Senator Garcia moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1580** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Nichols.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

HOUSE BILL 2813 ON SECOND READING

Senator Eltife moved to suspend the regular order of business to take up for consideration **HB 2813** at this time on its second reading:

HB 2813, Relating to health benefit plan coverage for ovarian cancer screening.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Creighton, Ellis, Eltife, Estes, Garcia, Hancock, Hinojosa, Huffman, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Campbell, Fraser, Hall, Huffines, Kolkhorst, Schwertner, V. Taylor.

The bill was read second time.

Senator Eltife offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2813** (senate committee printing) in SECTION 2 of the bill by striking added Section 1370.002(b), Insurance Code (page 1, line 56, through page 2, line 1), and substituting the following:

(b) To the extent that providing coverage for ovarian cancer screening under this chapter would otherwise require this state to make a payment under 42 U.S.C. Section 18031(d)(3)(B)(ii), a qualified health plan, as defined by 45 C.F.R. Section 155.20, is not required to provide a benefit for the ovarian cancer screening under this chapter that exceeds the specified essential health benefits required under 42 U.S.C. Section 18022(b).

The amendment to **HB 2813** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator Eltife and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 2813 as amended was passed to third reading by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Creighton, Ellis, Eltife, Estes, Garcia, Hancock, Hinojosa, Huffman, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Campbell, Fraser, Hall, Huffines, Kolkhorst, Schwertner, V. Taylor.

HOUSE BILL 2813 ON THIRD READING

Senator Eltife moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2813** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hinojosa, Huffines, Huffman, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Hall, Kolkhorst, Schwertner, V. Taylor.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Creighton, Ellis, Eltife, Estes, Garcia, Hancock, Hinojosa, Huffman, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Campbell, Fraser, Hall, Huffines, Kolkhorst, Schwertner, V. Taylor.

GUESTS PRESENTED

Senator Uresti, joined by Senator Menéndez, was recognized and introduced to the Senate a Little Flower Catholic School delegation.

The Senate welcomed its guests.

COMMITTEE SUBSTITUTE SENATE BILL 1316 ON SECOND READING

Senator Watson moved to suspend the regular order of business to take up for consideration **CSSB 1316** at this time on its second reading:

CSSB 1316, Relating to the system by which an application for a low income housing tax credit is scored.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: Birdwell, Campbell, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Lucio, Menéndez, Nichols, Perry, Rodríguez, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Creighton, Hancock, Huffines, Kolkhorst, Nelson, Schwertner, V. Taylor.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1316** (senate committee printing) in SECTION 2 of the bill as follows:

(1) In the recital (page 2, line 31), strike "Subsections (e) and (f)" and substitute "Subsections (e), (f), and (g)".

(2) Strike amended Sections 2306.6725(a)(6) and (7), Government Code (page 2, lines 51 through 56), and substitute the following:

(6) rehabilitate or adaptive reuse a historic building as part of the development;

(7) remain affordable to qualified tenants for an extended, economically feasible period; and

(8) ~~[(6)]~~ comply with the accessibility standards that are required under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), and specified under 24 C.F.R. Part 8, Subpart C.

(3) Immediately following added Section 2306.6725(f), Government Code (page 2, between lines 66 and 67), insert the following new subsection:

(g) The department may not award points for the rehabilitation of a historic building under Subsection (a)(6) to more than two projects in the same application cycle.

The amendment to **CSSB 1316** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Nays: Campbell.

On motion of Senator Watson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1316 as amended was passed to engrossment by the following vote: Yeas 22, Nays 9.

Yeas: Birdwell, Campbell, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Lucio, Menéndez, Nichols, Perry, Rodríguez, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Creighton, Hancock, Huffines, Kolkhorst, Nelson, Schwertner, V. Taylor.

COMMITTEE SUBSTITUTE SENATE BILL 1316 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1316** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffman, Lucio, Menéndez, Nichols, Perry, Rodríguez, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Huffines, Kolkhorst, Nelson, Schwertner, V. Taylor.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 9.

Yeas: Birdwell, Campbell, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Lucio, Menéndez, Nichols, Perry, Rodríguez, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Creighton, Hancock, Huffines, Kolkhorst, Nelson, Schwertner, V. Taylor.

(President in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 838 ON SECOND READING

Senator Lucio moved to suspend the regular order of business to take up for consideration **CSSB 838** at this time on its second reading:

CSSB 838, Relating to the functions of the Office of Immigration and Refugee Affairs, the Governor's Advisory Committee on Immigration and Refugees, and use of the state's disaster contingency fund for purposes related to immigration and refugees.

The motion prevailed.

Senators Hall, Huffman, Kolkhorst, Nelson, Perry, and V. Taylor asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Hall, Huffman, Kolkhorst, Nelson, Perry, V. Taylor.

COMMITTEE SUBSTITUTE SENATE BILL 838 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 838** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hinojosa, Huffines, Lucio, Menéndez, Nichols, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Hall, Huffman, Kolkhorst, Nelson, Perry, V. Taylor.

The bill was read third time.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 1 on Third Reading

Amend **CSSB 838** (senate committee report) on third reading by striking SECTION 3 of the bill (on page 1, line 41 thru page 2, line 5) and renumbering the subsequent SECTIONS of the bill appropriately.

The amendment to **CSSB 838** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 on Third Reading.

On motion of Senator Lucio and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 838 as amended was finally passed by the following vote: Yeas 25, Nays 6.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hinojosa, Huffines, Lucio, Menéndez, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Creighton, Hall, Huffman, Kolkhorst, Nelson, V. Taylor.

HOUSE BILL 2083 ON SECOND READING

Senator Hancock moved to suspend the regular order of business to take up for consideration **HB 2083** at this time on its second reading:

HB 2083, Relating to the determination of the appraised value of property for purposes of an ad valorem tax protest or appeal.

The motion prevailed.

Senator Bettencourt asked to be recorded as "Present-not voting" on suspension of the regular order of business.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Present-not voting: Bettencourt.

HOUSE BILL 2083 ON THIRD READING

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2083** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0, Present-not voting 1.

Present-not voting: Bettencourt.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0, Present-not voting 1. (Same as previous roll call)

REMARKS ORDERED PRINTED

On motion of Senator Creighton and by unanimous consent, the remarks by Senators Hancock and Creighton regarding **HB 2083** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Creighton: So, Senator Hancock, I just wanted to make sure homeowners will have the same rights to protest their values under this bill and appraisal districts will not be under any interpretation that's different than current law, correct?

Senator Hancock: Correct, absolutely. In fact, there's a provision within this legislation that clarifies that as a homeowner in the appraisal process that they're not restricted in how they want to appeal that appraisal process. And so, they're not held to the same standards in their appeal that the appraisal board would be held to in an equal and uniform appraisal, and so this is hope, the bill both provides clarity on how the appraisal is to take place, but also clarifies that the homeowners can use whatever means they deem necessary in order to appeal such an appraisal.

HOUSE BILL 2559 ON SECOND READING

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2559** at this time on its second reading:

HB 2559, Relating to leases and other agreements relating to real property entered into by certain hospital districts.

The bill was read second time and was passed to third reading without objection.

All Members are deemed to have voted "Yea" on the passage to third reading.

HOUSE BILL 2559 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2559** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

HOUSE BILL 908 ON SECOND READING

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 908** at this time on its second reading:

HB 908, Relating to the continuation and duties of the Red River Boundary Commission.

The bill was read second time and was passed to third reading without objection.

All Members are deemed to have voted "Yea" on the passage to third reading.

HOUSE BILL 908 ON THIRD READING

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 908** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

HOUSE BILL 440 ON SECOND READING

Senator Watson moved to suspend the regular order of business to take up for consideration **HB 440** at this time on its second reading:

HB 440, Relating to adapting the public school physical education curriculum to accommodate the needs of students with mental disabilities.

The motion prevailed.

Senator Huffines asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Nays: Huffines.

HOUSE BILL 440 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 440** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Huffines.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

COMMITTEE SUBSTITUTE HOUSE BILL 2476 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2476** at this time on its second reading:

CSHB 2476, Relating to the operations of health care funding districts in certain counties located on the Texas-Mexico border.

The bill was read second time and was passed to third reading without objection.

All Members are deemed to have voted "Yea" on the passage to third reading.

COMMITTEE SUBSTITUTE HOUSE BILL 2476 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2476** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House were read first time and referred to the committees indicated:

HB 382 To Committee on Intergovernmental Relations.

HB 452 To Committee on Criminal Justice.

HB 530 To Committee on Criminal Justice.

HB 549 To Committee on Criminal Justice.

HB 554 To Committee on State Affairs.

HB 633 To Committee on Finance.

HB 635 To Committee on Health and Human Services.

HB 823 To Committee on Transportation.

HB 839 To Committee on Health and Human Services.

HB 884 To Committee on State Affairs.

HB 988 To Committee on Agriculture, Water, and Rural Affairs.

HB 1072 To Committee on Business and Commerce.
HB 1119 To Committee on Transportation.
HB 1318 To Committee on Natural Resources and Economic Development.
HB 1360 To Committee on Transportation.
HB 1455 To Committee on State Affairs.
HB 1457 To Committee on Veteran Affairs and Military Installations.
HB 1629 To Committee on Business and Commerce.
HB 1633 To Committee on Natural Resources and Economic Development.
HB 1702 To Committee on Transportation.
HB 1715 To Committee on Natural Resources and Economic Development.
HB 1799 To Committee on State Affairs.
HB 1807 To Committee on Higher Education.
HB 1923 To Committee on State Affairs.
HB 1949 To Committee on Intergovernmental Relations.
HB 2162 To Committee on Intergovernmental Relations.
HB 2186 To Committee on Education.
HB 2257 To Committee on Intergovernmental Relations.
HB 2313 To Committee on Finance.
HB 2349 To Committee on Education.
HB 2499 To Committee on Criminal Justice.
HB 2511 To Committee on Business and Commerce.
HB 2549 To Committee on Transportation.
HB 2610 To Committee on Education.
HB 2660 To Committee on Education.
HB 2665 To Committee on State Affairs.
HB 2691 To Committee on Finance.
HB 2712 To Committee on Finance.
HB 2763 To Committee on Natural Resources and Economic Development.
HB 2794 To Committee on State Affairs.
HB 2811 To Committee on Education.
HB 2819 To Committee on Administration.
HB 2894 To Committee on Administration.
HB 2921 To Committee on Higher Education.
HB 2965 To Committee on Veteran Affairs and Military Installations.
HB 2974 To Committee on State Affairs.
HB 3024 To Committee on Business and Commerce.
HB 3057 To Committee on Agriculture, Water, and Rural Affairs.
HB 3070 To Committee on State Affairs.
HB 3077 To Committee on Finance.
HB 3193 To Committee on Intergovernmental Relations.
HB 3356 To Committee on Agriculture, Water, and Rural Affairs.
HB 3387 To Committee on Criminal Justice.
HB 3519 To Committee on Health and Human Services.
HB 3535 To Committee on Intergovernmental Relations.
HB 3596 To Committee on Education.
HB 3601 To Committee on Business and Commerce.

HB 3615 To Committee on Natural Resources and Economic Development.

HB 3628 To Committee on Administration.

HB 3651 To Committee on Health and Human Services.

HB 3682 To Committee on State Affairs.

HB 3683 To Committee on State Affairs.

HB 3724 To Committee on Criminal Justice.

HB 3836 To Committee on Higher Education.

HB 3902 To Committee on State Affairs.

HB 3982 To Committee on Business and Commerce.

HB 4046 To Committee on Higher Education.

HB 4059 To Committee on Intergovernmental Relations.

HB 4069 To Committee on Business and Commerce.

HB 4139 To Committee on Administration.

HB 4141 To Committee on Administration.

HB 4153 To Committee on Administration.

HB 4154 To Committee on Intergovernmental Relations.

HB 4156 To Committee on Intergovernmental Relations.

HB 4159 To Committee on Intergovernmental Relations.

HB 4160 To Committee on Intergovernmental Relations.

HB 4183 To Committee on Intergovernmental Relations.

HCR 35 To Committee on Administration.

HCR 72 To Committee on Natural Resources and Economic Development.

SENATE BILL 578 WITH HOUSE AMENDMENT

Senator Hinojosa called **SB 578** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Amendment

Amend **SB 578** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED

AN ACT

relating to providing inmates of the Texas Department of Criminal Justice with information regarding reentry and reintegration resources.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 501, Government Code, is amended by adding Section 501.0971 to read as follows:

Sec. 501.0971. PROVISION OF REENTRY AND REINTEGRATION INFORMATION TO INMATES. (a) The department shall identify organizations that provide reentry and reintegration resource guides and shall collaborate with those organizations to prepare a resource guide that is to be made available to all inmates. At a minimum, the department shall collaborate with:

(1) nonprofit entities that specialize in criminal justice issues;

(2) faith-based organizations; and

(3) organizations that:

(A) offer pro bono legal services to inmates; or

(B) are composed of the families and friends of inmates.

(b) The department shall make the resource guide available in the Windham School District libraries and in each of the following areas of a correctional facility:

(1) peer educator classrooms;

(2) chapels;

(3) reintegration specialist offices; and

(4) any area or classroom that is used by the department for the purpose of providing information about reentry to inmates.

(c) The department shall make available a sufficient number of copies of the resource guide to ensure that each inmate is able to access the resource guide in a timely manner.

(d) The department shall identify organizations described by Subsection (a) that provide information described by Subsection (e) and shall collaborate with those organizations to compile county-specific information packets for inmates. The department shall, within the 180-day period preceding the date an inmate will discharge the inmate's sentence or is released on parole, mandatory supervision, or conditional pardon, provide the inmate with a county-specific information packet for the county that the inmate designates as the inmate's intended residence.

(e) At the minimum, a county-specific packet described by Subsection (d) must include, for the applicable county:

(1) contact information, including telephone numbers, e-mail addresses, physical locations, and mailing addresses, as applicable, of:

(A) workforce offices, housing options, places of worship, support groups, peer-to-peer counseling groups, and other relevant organizations or agencies as determined by the department and the collaborating organization;

(B) agencies and organizations that offer emergency assistance, such as food and clothing banks, temporary bus passes, low-cost medical assistance, and overnight and temporary housing; and

(C) agencies and organizations that offer mental health counseling; and

(2) information necessary for the inmate to apply for governmental assistance or benefits, including Medicaid, social security benefits, or nutritional assistance programs under Chapter 33, Human Resources Code.

SECTION 2. This Act takes effect September 1, 2015.

The amendment was read.

Senator Hinojosa moved to concur in the House amendment to **SB 578**.

The motion prevailed by the following vote: Yeas 31, Nays 0.

SENATE BILL 112 WITH HOUSE AMENDMENT

Senator V. Taylor called **SB 112** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Amendment

Amend **SB 112** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED
AN ACT

relating to the authority of a magistrate to prohibit certain communications in an order for emergency protection; amending provisions subject to a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 17.292(c), Code of Criminal Procedure, is amended to read as follows:

(c) The magistrate in the order for emergency protection may prohibit the arrested party from:

(1) committing:

(A) family violence or an assault on the person protected under the order; or

(B) an act in furtherance of an offense under Section 42.072, Penal Code;

(2) communicating:

(A) directly with a member of the family or household or with the person protected under the order in a threatening or harassing manner; ~~or~~

(B) a threat through any person to a member of the family or household or to the person protected under the order; or

(C) if the magistrate finds good cause, in any manner with a person protected under the order or a member of the family or household of a person protected under the order, except through the party's attorney or a person appointed by the court;

(3) going to or near:

(A) the residence, place of employment, or business of a member of the family or household or of the person protected under the order; or

(B) the residence, child care facility, or school where a child protected under the order resides or attends; or

(4) possessing a firearm, unless the person is a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

The amendment was read.

Senator V. Taylor moved to concur in the House amendment to **SB 112**.

The motion prevailed by the following vote: Yeas 31, Nays 0.

SENATE BILL 709 WITH HOUSE AMENDMENTS

Senator Fraser called **SB 709** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Floor Amendment No. 1

Amend **SB 709** (house committee printing) on page 3, by striking lines 1-6 and substituting the following:

(2) demonstrates that one or more provisions in the draft permit violate a specifically applicable state or federal requirement.

Floor Amendment No. 2

Amend **SB 709** (house committee report) as follows:

(1) On page 1, line 6, between "(e-4)," and "(i-1)", insert "(e-5),".

(2) On page 2, between lines 9 and 10, insert the following:

(e-5) This subsection applies only to a matter referred under Section 5.557, Water Code. The administrative law judge may not hold a preliminary hearing until after the executive director has issued a response to public comments under Section 5.555, Water Code.

Floor Amendment No. 6

Amend **SB 709** (house committee report) as follows:

(1) On page 3, line 12, strike "Subsection (a)" and substitute "Subsections (a) and (d)".

(2) On page 4, between lines 24 and 25, insert the following:

(d) The commission shall adopt rules for the notice required by this section. The rules must provide for the notice required by this section to be posted on the internet by the commission.

Floor Amendment No. 8

Amend **SB 709** (house committee report) as follows:

(1) On page 5, line 4, strike "[and]" and substitute "and".

(2) On page 5, line 6, strike "; and" and substitute ", unless the executive director has revised or reversed that position."

(3) On page 5, strike lines 7 and 8.

Floor Amendment No. 9

Amend **SB 709** on page 5 by striking lines 9-15 and substituting the following:

SECTION 4. (a) The changes in law made by this Act apply only to:

(1) a permit application that is filed with the Texas Commission on Environmental Quality on or after the effective date of this Act; or

(2) a judicial proceeding initiated on or after the effective date of this Act that challenges an act or decision of the Texas Commission on Environmental Quality made during a permit proceeding.

(b) A permit application filed or a judicial proceeding initiated before the effective date of this Act is governed by the law in effect when the permit application was filed or the judicial proceeding was initiated, and the former law is continued in effect for that purpose.

(c) Not later than January 1, 2016, the Texas Commission on

Floor Amendment No. 10

Amend Amendment No. 9 by King of Parker to **SB 709** by inserting the following subsection to the SECTION amended by the amendment and relettering subsequent subsections of that SECTION accordingly:

(c) Notwithstanding Subsection (a), the changes in law made by this Act do not apply to:

(1) a permit application:

(A) filed after the effective date of this Act; and

(B) that is substantially similar to a permit application for which a draft permit has been issued and that was:

(i) filed before the effective date of this Act; and

(ii) withdrawn at the request of the permit applicant; or

(2) a judicial proceeding:

(A) initiated after the effective date of this Act; and

(B) that is substantially similar to a judicial proceeding initiated before the effective date of this Act that has been dismissed at the request of the permit applicant.

Floor Amendment No. 2 on Third Reading

Amend **SB 709** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter M, Chapter 5, Water Code, is amended by adding Section 5.5553 to read as follows:

Sec. 5.5553. NOTICE OF DRAFT PERMIT. (a) This section applies only to a permit application that is eligible to be referred for a contested case hearing under Section 5.5556 or 5.5557.

(b) Notwithstanding any other law, not later than the 30th day before the date the commission issues a draft permit in connection with a permit application, the executive director shall provide written notice to the state senator and state representative of the area in which the facility that is the subject of the permit is located.

The amendments were read.

Senator Fraser moved to concur in the House amendments to **SB 709**.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Estes, Fraser, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti.

Nays: Ellis, Eltife, Garcia, Menéndez, Rodríguez, Watson, West, Whitmire, Zaffirini.

SENATE BILL 641 WITH HOUSE AMENDMENT

Senator Schwertner called **SB 641** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Floor Amendment No. 1

Amend **SB 641** (house committee printing) as follows:

(1) On page 2, line 16, strike "\$1,000" and substitute "\$500".

(2) Strike page 2, line 23, through page 3, line 4, and substitute the following:

(b) Before bringing the action, the attorney general or prosecuting attorney shall give the person notice of the person's noncompliance and liability for a civil penalty.

The notice must:

(1) contain guidance to assist the person in complying with this chapter;

(2) advise the person of the prohibition under Section 604A.002; and

(3) state that the person may be liable for a civil penalty for a subsequent violation of Section 604A.002.

(b-1) If the person complies with Section 604A.002 not later than the 30th day after the date of the notice under Subsection (b), the violation is cured and the person is not liable for the civil penalty. A person who has previously received notice of noncompliance under Subsection (b) is not entitled to notice of or the opportunity to cure a subsequent violation of Section 604A.002.

The amendment was read.

Senator Schwertner moved to concur in the House amendment to **SB 641**.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Hall.

SENATE RULES SUSPENDED**(Posting Rules)**

On motion of Senator Campbell and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Veteran Affairs and Military Installations might meet and consider **SCR 46** today.

SENATE RULES SUSPENDED**(Posting Rules)**

On motion of Senator L. Taylor and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Education might meet and consider the following bills tomorrow: **HB 1878, HB 2025**.

SENATE RULES SUSPENDED**(Posting Rules)**

Senator Hancock moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Administration might meet and consider the following bills at his desk in the Senate Chamber today:

HB 2819, HB 2894, HB 3628, HB 4139, HB 4141, HB 4153.

The motion prevailed by a viva voce vote.

All Members are deemed to have voted "Yea" on the motion to suspend the posting rules except as follows:

Nays: Watson.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Intergovernmental Relations might meet and consider the following bills today:

SB 2070, SB 2071, SB 2073, SB 2074, HB 648, HB 973, HB 1062, HB 1436, HB 1643, HB 1790, HB 3220, HB 3333.

CO-AUTHOR OF SENATE BILL 674

On motion of Senator Campbell, Senator Garcia will be shown as Co-author of **SB 674**.

CO-AUTHOR OF SENATE BILL 1408

On motion of Senator Lucio, Senator Zaffirini will be shown as Co-author of **SB 1408**.

CO-AUTHOR OF SENATE BILL 1580

On motion of Senator Garcia, Senator Menéndez will be shown as Co-author of **SB 1580**.

CO-SPONSOR OF HOUSE BILL 194

On motion of Senator Hinojosa, Senator Campbell will be shown as Co-sponsor of **HB 194**.

CO-SPONSOR OF HOUSE BILL 440

On motion of Senator Watson, Senator Zaffirini will be shown as Co-sponsor of **HB 440**.

CO-SPONSOR OF HOUSE BILL 1992

On motion of Senator Seliger, Senator Bettencourt will be shown as Co-sponsor of **HB 1992**.

CO-SPONSOR OF HOUSE BILL 2079

On motion of Senator Huffman, Senator Uresti will be shown as Co-sponsor of **HB 2079**.

CO-SPONSOR OF HOUSE BILL 2476

On motion of Senator Hinojosa, Senator Zaffirini will be shown as Co-sponsor of **HB 2476**.

CO-SPONSOR OF HOUSE BILL 2521

On motion of Senator Schwertner, Senator Zaffirini will be shown as Co-sponsor of **HB 2521**.

CO-SPONSOR OF HOUSE BILL 2717

On motion of Senator West, Senator Eltife will be shown as Co-sponsor of **HB 2717**.

CO-SPONSORS OF HOUSE BILL 2813

On motion of Senator Eltife, Senators Uresti and Zaffirini will be shown as Co-sponsors of **HB 2813**.

CO-SPONSOR OF HOUSE BILL 3291

On motion of Senator Zaffirini, Senator Uresti will be shown as Co-sponsor of **HB 3291**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 802 by Creighton, In memory of Anthony R. Maddox.

SR 803 by Uresti, In memory of Guadalupe Saucedo Sanchez.

SR 806 by Hinojosa, In memory of Robert Burns McLeaish Jr.

SR 809 by Perry, In memory of Parker Riley Weber.

Congratulatory Resolutions

SR 800 by Fraser, Recognizing the 75th anniversary of the establishment of Camp Bowie in Brownwood.

SR 801 by Creighton, Commending Lauren Patricia Wandell for earning a Girl Scout Gold Award.

SR 804 by Garcia, Recognizing the students of Chavez High School for winning the 2014-2015 Vocabulary Bowl.

SR 805 by Hinojosa, Recognizing Wesley Pickett Dorrough for his service to the nation.

SR 807 by Hinojosa, Recognizing Martin Lopez for his service to our nation's veterans.

SR 808 by West, Recognizing Gianna Elvera Ramirez on the occasion of her prekindergarten graduation.

RECESS

On motion of Senator Whitmire, the Senate at 4:07 p.m. recessed, in memory of Terry Burkett, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

May 13, 2015

STATE AFFAIRS — CSHB 3680

AGRICULTURE, WATER, AND RURAL AFFAIRS — CSHB 801, CSHB 1925, CSHB 1902, CSHB 163

INTERGOVERNMENTAL RELATIONS — CSHB 2033, SB 2072, HB 4127, HB 3187, HB 2599, HB 2557, HB 2552, HB 2519, HB 2038, HB 1596, HB 1422, HB 995, HB 797, HB 274, HB 1428, HB 1415

HIGHER EDUCATION — HB 3062, HB 3245, HB 2628, HB 671

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — CSHB 1794, HB 1331, HB 497, HB 2667, HB 2207, HB 2244, HB 1736, HB 426

ADMINISTRATION — HCR 56, HB 369, HB 1052, HB 1187, HB 1264, HB 1372, HB 3538, HCR 65, HCR 69, HCR 70, CSHB 2100

BUSINESS AND COMMERCE — CSSB 1227, CSHB 482

CRIMINAL JUSTICE — HB 3211, HB 473, HB 904, HB 1417, HB 121, HB 875, HB 1293, HB 2189

EDUCATION — HB 3562, HB 218

BILLS AND RESOLUTION ENGROSSED

May 12, 2015

SB 309, SB 310, SB 830, SB 1004, SB 1058, SB 1169, SB 1229, SB 1259, SB 1497, SB 1882, SB 1899, SB 2057, SB 2065, SJR 8

BILLS AND RESOLUTIONS ENROLLED

May 12, 2015

SB 487, SB 888, SB 899, SB 1108, SR 737, SR 756, SR 757, SR 758, SR 759, SR 760, SR 761, SR 762, SR 763, SR 764, SR 765, SR 766, SR 767, SR 768, SR 769, SR 770, SR 771, SR 772, SR 773, SR 774, SR 775, SR 776, SR 777, SR 778, SR 779, SR 780, SR 781, SR 782, SR 783, SR 784, SR 785, SR 786, SR 787, SR 788, SR 789, SR 790, SR 791, SR 792, SR 793, SR 794, SR 795, SR 796, SR 798, SR 799

SENT TO GOVERNOR

May 13, 2015

SB 487, SB 888, SB 899, SB 1108

